



Town of Chatham
Department of
Principal Projects and Operations



DPW COMPLEX 221 CROWELL ROAD

CHATHAM, MA 02633

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INTER-OFFICE MEMORANDUM

DATE: March 29, 2013

TO: Jill Goldsmith, Town Manager

FROM: Terence M. Whalen, Administrator

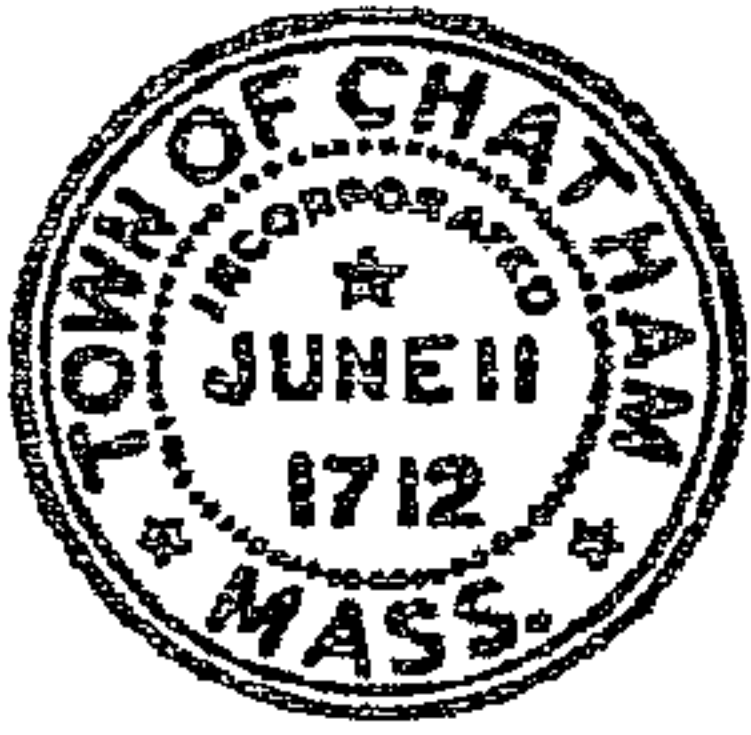
RE: **Skydive Operations at Chatham Airport
FAA Conference Call Report**

Following up on the October 23, 2012 Board of Selectmen (BOS) meeting reviewing concerns raised by citizens regarding the operations of Skydive Cape Cod at the Chatham Airport and the subsequent request by the BOS/Airport Commission to the Federal Aviation Administration (FAA) to conduct a safety audit, attached please find the following items, providing context on what has transpired since last fall's meeting to review the outcome of the Conference Call and development of the draft Airport Commission letter:

- Airport Commission's Letter to the FAA – Requesting Safety Audit
- Town Manager's Letter to FAA – Expressing specific concerns addressed at the October 2012 BOS meeting
- Citizens Letter to the BOS – Relaying opinion on consistency of the skydiving operation with the Airport's Mission Statement (Airport Master Plan)
- Letter from FAA to Airport Commission – Response to Safety Audit request
- FAA Conference Call – Meeting Notes/Additional Safety Suggestions
- Draft Letter to Skydive Cape Cod – Drafted with assistance from Town Counsel to reinforce previously agreed upon mitigation measures and establish the expectation of immediately reporting off-airport landings for review.

While the FAA, did not indicate any safety concerns with the Skydive Cape Cod operations at the Chatham Airport as part of its safety review they did make recommendations to further enhance safety of this activity moving forward (indicated in the meeting notes). Additionally, the intent of the draft letter for the Airport Commission's consideration is to formally address safety and operational concerns identified by citizens outside of the FAA's jurisdiction.

cc: *Dick Hunter, Chairman - Airport Commission*
Jay Talerman, Esq. – Town Counsel
Tim Howard, Airport Manager/Fixed Based Operator (FBO)

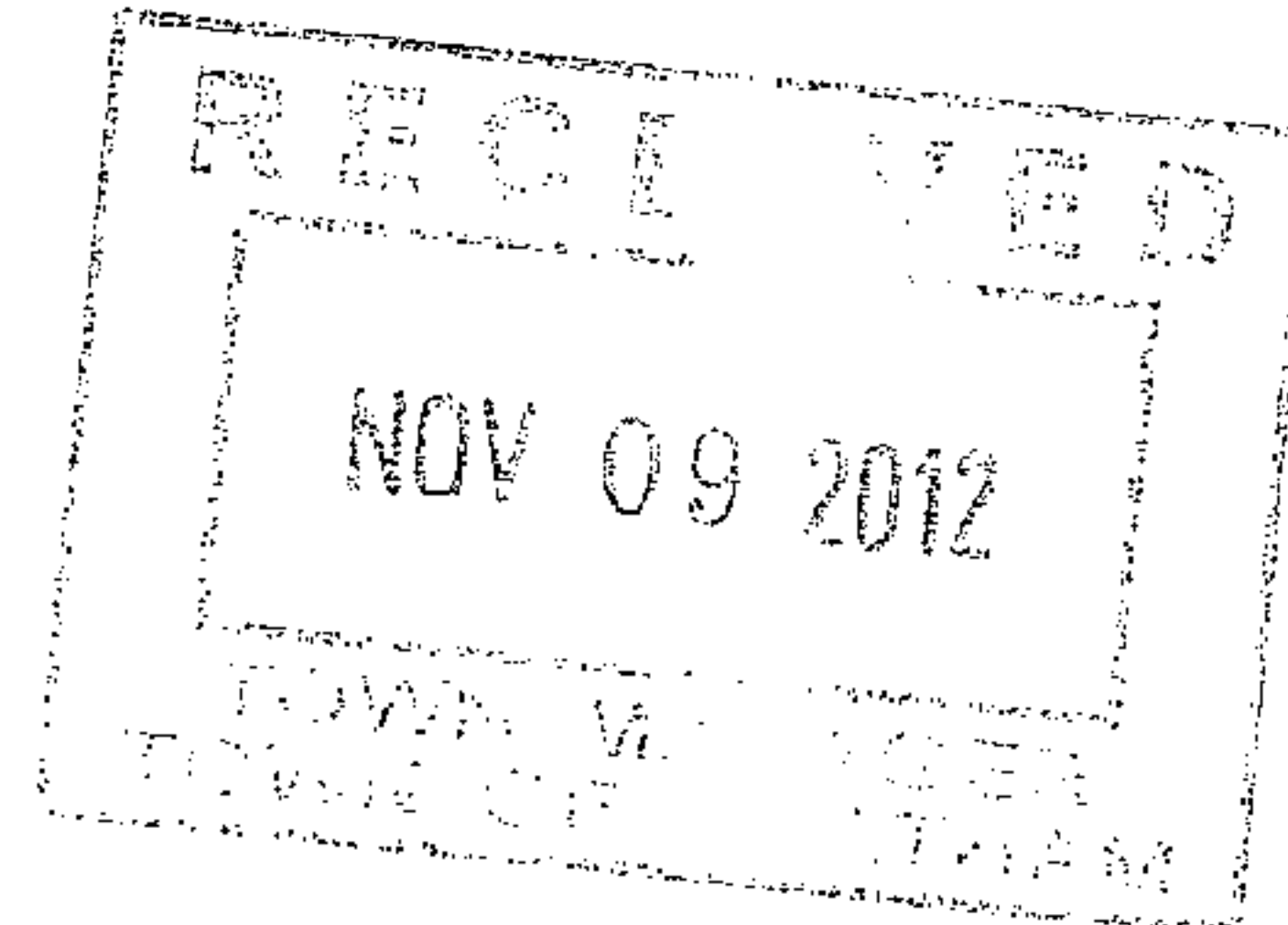


AIRPORT COMMISSION
TOWN OF CHATHAM
549 MAIN STREET
CHATHAM, MASSACHUSETTS 02633



November 8, 2012

Tracey McInnis
FAA New England Region
12 New England Executive Park, ANE 620
Burlington, MA 01803



Dear Tracey,

With this letter the Chatham Airport Commission formally requests a safety audit of the skydive operation at Chatham Municipal Airport. We understand that a similar audit was recently completed for the Taunton Airport. This action is being put forth at this time by a request of the Board of Selectmen of the Town of Chatham based on several complaints received from area residents.

The airport management and the Chatham Airport Commission have no issues with the SkyDive Chatham operation that has just completed its second full summer season at CQX. The airport and the commission have received an enormous amount of positive feedback from the community about this activity. At the same time the current operator's business practices are being scrutinized in the local media. The potential loss of this operation would have a negative economic and activity impact on all our airport businesses.

We are requesting that the audit be done as soon as possible so that any changes that might be needed can be put in place and would not interfere with the re-opening of this business prior to spring of 2013.

I would appreciate a confirmation letter of receipt of this request so that I have something to show our Board of Selectmen that the FAA is dealing with this matter. Any questions please contact me at 508-237-1802 or rhunter1951@gmail.com.

Yours truly,

Richard E. Hunter
Chairman

Cc: Jill Goldsmith, Chatham Town Manager



Town of Chatham

Office of the Selectmen

Town Manager

549 Main Street

Chatham, MA 02633



Jill R. Goldsmith
TOWN MANAGER

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November 14, 2012

Ms. Tracey McInnis, Airports Air space Specialist
FAA New England Region
12 New England Executive Park, ANE 620
Burlington, MA 01803

Dear Ms. McInnis:

At the October 23, 2012 meeting of the Chatham Board of Selectmen ("Board"), the Board directed the Chatham Airport Commission to request a safety audit of the Chatham Municipal Airport from the Federal Aviation Administration –New England Region. While the Commission recently communicated the request to you, I wanted to also note that such action occurred as a result of a duly posted meeting of the Chatham Board of Selectmen.

The Board was prompted to take this action after hearing concerns expressed by several area residents at that meeting and via written correspondence regarding the operations of SkyDive Cape Cod, a sport parachuting business subcontracted by Cape Cod Flying Circus, our Fixed Base Operator. Both the owners of SkyDive Cape Cod and Cape Cod Flying Circus attended the meeting of October 23, 2012 along with our appointed Airport Commissioners.

The residents cited three recent off-airport landings, the absence of a control tower, and the proximity of the drop zone to the taxi way and runways as reasons for their concerns.

The Board respectfully requests that the safety audit be done as soon as possible so that the results are available prior to the resumption of operations by SkyDive Cape Cod at Chatham Municipal Airport in mid-April 2013.

Thank you in advance for your prompt attention to this matter. Should you have any questions regarding the foregoing, please do not hesitate to contact my office.

Sincerely,

Jill R. Goldsmith
Town Manager

JRG/sen

cc: Chatham Airport Commission

January 4, 2013

Airport Commission
Town of Chatham
549 Main Street
Chatham, MA 02633

Dear Mr. Hunter,

With this letter we would like to go on record as objecting to the biased wording of your letter to the FAA dated November 8, 2012 requesting a safety audit of the skydive operation at Chatham Municipal Airport. We strongly disagree with the approach your letter took with regards to the impact of Skydive Cape Cod on the residents of the community.

As Chairman of the Airport Commission, and representative of the citizens of the town, we feel that your letter should have remained neutral and omitted any mention of the financial impact of the loss of the skydive operation on airport revenues which places profit over safety. The safety of Chatham's residents should be the primary concern of the Commission.

In addition, your letter appears to be in direct contradiction to the Mission Statement of the Chatham Airport Commission dated August 2003:


- "It is the mission of the Chatham Airport Commission to ensure that Chatham Municipal Airport continues to be a community-based, *safety-minded*, environmentally friendly aviation center and a good neighbor, while enhancing all facets of the general aviation experience."

Supporting statements from the same document read:

- "The Commission supports the continued use of the airport as a community-based facility primarily serving the Town of Chatham and immediate neighboring towns. This has been the airport's traditional service area and *the Commission has no plans to attract more users to the airport by increasing the length of its runway or taking other actions designed to attract more than the typical usage of the airport*. The Commission's approach to the future of the airport is to maintain what has been traditional to Chatham."
- "The Commission is committed to taking all reasonable steps to assure that the airport is a good neighbor by being responsive to situations that may cause concern to neighbors."
- "The Commission wishes...to protect the character that is distinctive of Chatham and Cape Cod."

We hope that you and the entire Airport Commission will keep these goals in mind as we enter into the safety audit by the FAA.

Sincerely,

cc: Board of Selectmen, Chairman
Chatham Town Manager



U.S. Department
of Transportation
**Federal Aviation
Administration**

Federal Aviation Administration
New England Region

12 New England Executive Park
Burlington, MA 01803

January 11, 2013

Mr. Dick Hunter
Chatham Municipal Airport
240 George Ryder Road
Chatham, MA 02633

Dear Mr. Hunter:

Thank you for your November 8, 2012, letter in which you requested the Federal Aviation Administration (FAA) conduct a safety audit of the skydive operations at Chatham Municipal Airport.

As you may be aware, the FAA currently is in the final phases of publishing formal guidance for airport sponsors to address parachute drop zone standards (PDZ) for skydiving operations. The final guidance is expected to be available in early 2013. The primary goal of the guidance will be for airport sponsors to conduct their own safety reviews and use the incorporated checklist to identify mitigation measures which could address operational issues if necessary. Because the guidance is not yet finalized, the FAA cannot perform an actual safety audit.

However, after consulting with the Office of Airport's Compliance Division in Washington, DC, we have been able to arrange a special review, via a conference call, to be conducted with the agency's subject matter expert for PDZs, Mr. Michael Millard, the key architect of the forthcoming guidance.

During his special review, Mr. Millard will use a web-based mapping program such as Google Earth, to identify safety areas and provide expert guidance on mitigation efforts if necessary. Although the Town of Chatham has not identified a specific safety concern, Mr. Millard can provide his expert opinions utilizing the forthcoming guidance to assist the Town in educating its residents on skydiving operations.

Please contact me with available dates and times so that we may begin coordinating the call. For your preliminary planning purposes, please anticipate this call taking place in the latter half of January, specifically after January 22, 2013.

Should you have any additional questions as we set up this call, please let me know.

Sincerely,

Tracey McInnis
Airspace Specialist, Airports Division

Cc: Jill Goldsmith, Town Manager

**FAA Conference Call
Review of Skydive Operation at Chatham Airport**

**February 28, 2013
Chatham Town Offices Annex
1:00 PM to 2:15 PM**

Call Participants:

Federal Aviation Administration (FAA)

- Barry Hammer, Civil Engineer - Safety & Standards Branch - New England Region Airports Division Burlington, MA
- Mike Millard, Supervisor Aviation Safety Inspector - Flight Standards Services (AFS) – Flight Standards District Office, Cincinnati, OH
- Kathleen Brockman, Airport Compliance Specialist - ACO-100 – FAA Headquarters, Washington DC

Town of Chatham

- Jill Goldsmith - Town Manager
- Florence Seldin, Chair – Board of Selectmen
- Richard Hunter, Chair – Airport Commission
- Dave Rauscher, Vice-Chair – Airport Commission
- Tim Howard, Airport Manager / Fixed Based Operator (FBO)
- Terry Whalen, Staff Liaison – Airport Commission

Appropriateness of Chatham Airport for Skydiving Operations

The group reviewed the key components of the Chatham Airport from the perspective of operating a safe skydive operation including the following features:

- Single runway
- No control tower
- Parachute Landing Area (PLA) within the taxi area
- Student pilots operating at the airport
- Pilots in Chatham are operating in a "see and avoid " environment

In this discussion, with all participants using Google Earth to simultaneously view the airport and surrounding area, the FAA noted the following:

- Because there is no control tower FAA recommends continuing to use the Commercial Traffic Advisory Frequency (CTAF) and UNICOM radio channels to notify aviators of jump operations in progress as this lowers the risk for potential safety issues. To improve

notification of skydive operations further, FAA also recommended noting skydiving operations on the NOAA and ASAS weather broadcasts. Additionally, Notice to Airmen (NOTAMS) should be issued as well.

- The Chatham PLA is located in an optimal area as it is in a position that provides good visibility on takeoff and landing for aircraft using the airfield. Additionally, the PLA is located greater than 165 feet from any structures per USPA standards. FAA also noted that taxi and runway surface areas are acceptable landing areas, but not encouraged.
- The presence on the Airport's website of approach information for pilots unfamiliar with the airport is a plus. The FAA recommended adding additional information regarding the specifics of the sky dive operation, including the time frames when jump operations could be underway, on the website to further inform unfamiliar aviators with the presence of the activity.
- Tandem jump operations are the safest type of skydive operation an airport can have as the jumps are supervised by experienced personnel.
- Skydive Cape Cod is United States Parachute Association (USPA) certified and that the Association's Base Safety Requirements (BSRs) provide an atmosphere geared towards safety and is a big plus in a skydive operation.

As part of their preparation for the meeting FAA reviewed their findings of searching the AIDS (Accident Incident Data System) and Aviation Safety Information Analysis and Sharing (ASIAS) databases and AIRNAV websites. The FAA complemented the Airport for its safe operation history and stellar feedback from aviators. In summary of the appropriateness of Chatham Airport for skydiving operations, FAA did not see a high risk environment for the skydive operation in Chatham.

The group also reviewed mitigation measures the Airport Commission instituted last year during the operational season to address broader community concerns raised including keeping departure and arrivals from turning off the flight path until reaching 1,000 ft., keeping a standard pattern, and taking off using the minimum amount of power required. FAA representatives noted this is what they would have recommended to attempt to mitigate neighborhood noise concerns. They recommended continuing to identify areas to mitigate impacts and getting the message out about skydive operations so the public understands how it functions. FAA specifically suggested having an open house backed by the USPA to further educate the public about the specifics of the operation and the safety protocols employed to further understanding.

The Town inquired why FAA conducted the audit for Laconia and how those circumstances differed from Chatham. FAA responded that they were requested by the Town and Airport Commission to conduct an on-site safety audit, which was done in accordance with the FAA

Draft Guidelines. When asked why they could not provide such a review for Chatham, FAA indicated they no longer have funding to do on site reviews. They did review Chatham in the context of the FAA Draft Guidelines and the USPA BSRs.

Landings Outside the Airport

The group also discussed the number of landings outside the designated Parachute Landing Area (PLA) and potential danger in the airspace or to persons/property on the ground. The three reported landings occurred outside of the PLA were reviewed.

In this discussion the FAA noted the following:

- Three (3) off airport landings of jumpers over two years was well below a typical 10-12 per season that is not uncommon to see at other skydive operations.
- Four (4) pilot deviations were noted in the same time frame in Chatham.
- Off airport landings by their nature cut away from the airport and do not cause interference with the airport operations noting typical causes include malfunction or a weather event. FAA recommended the Airport Commission/Town to develop a mechanism to address these types of situations.
- No reporting is required for off-airport landings by jumpers. They are only reported to FAA when failed parachute rigging results in an accident. FAA only has surveillance authority over equipment with tail numbers.

The group also reviewed the incident involving the downed plane into Lover's Lake. FAA noted the crash of the jump aircraft was determined not to be fuel starvation (running out of gas) but the engine failure (most likely carburetor icing). The safety inspectors found 8 gallons of fuel in the tank which equals 45 minutes to 1 hour of airtime for the aircraft.

Flotation Devices

A question was posed about the need for flotation devices on skydivers and FAA noted they are not required as the runway is located further than 100 feet from edge of a water body. An analogy was made between a parachute and a glider/plane that flies over water as there is some ability to glide and avoid.

The call ended at 2:15 PM

(AIRPORT COMMISSION LETTERHEAD)

Revised 3/28/13

March __, 2013

Skydive Cape Cod, Inc.
240 George Ryder Road
Chatham, MA 02633

Re: Operational Mitigation Practices/
Sub Management Agreement - Section 7

Dear Skydive Cape Cod,

With the imminent start of skydiving operations, the Chatham Airport Commission wants to take this opportunity to reiterate the operational parameters agreed upon last season with the concurrence of the Airport Manager to help mitigate various concerns raised by members of the public as we move into a new season including:

- On aircraft departure/take-off, climb straight out on runway heading until an altitude of 1,000 ft. MSL is reached to keep direct over-flight and noise of the aircraft away from neighbors on either side on the runway.
- All aircraft should climb to altitude out over the water and not over the Town of Chatham
- On aircraft departure, skydive aircraft are using reduced throttle settings to minimize prop noise during climb-out.
- On aircraft arrival, fly a standard left traffic pattern entry. With the Runway 24 approach, make the base to final approach turn outside / NE of the twin water towers to address the concerns of the Great Hill area residents of increased over-flights of their neighborhood.
- Request skydive customers to avoid use of any offensive language during parachute jumping and landing.

The Commission's expectation is that you will continue to implement these practices for the upcoming season as well. It is recognized that following these practices will help mitigate the potential impacts of your operation on citizens and visitors to Chatham.

Additionally, as a result of three off-airport landings of parachute jumpers experienced during operations in past seasons, the Chatham Airport Commission has identified the need for reporting any such future incidences, as soon as possible to the Airport Manager and Commission for review. The Commission is concerned with potential adverse effects to public safety with such occurrences.

As you are aware, Section 7 of your Sub Management Agreement states that the "Chatham Airport Commission reserves the right to terminate any skydiving activities and void this agreement should unsafe operations or practices be observed." Given your relationship with the Town and the Airport, the Commission is not presently opting to terminate the agreement with Skydive Cape Cod. However, please be advised that, should any further incidents occur, the Airport Commission may be compelled to enforce all of its rights under the Agreement.

Thank you.

Sincerely,

Chairman, Airport Commission

cc: *Chatham Board of Selectmen
Jill Goldsmith, Town Manager
Jay Talerman, Esq. – Town Counsel
Tim Howard, Airport Manager/Fixed Based Operator (FBO)*